

## **REMARKS**

Claims 1-18 are pending. Claims 1, 7 and 13 have been amended.

### **Claim Objections**

Claims 1, 7 and 13 have been amended as suggested. It is respectfully requested that the objection be withdrawn.

### **35 U.S.C. § 101**

It appeared that claims 13-18 were rejected, but the rejection also stated they were statutory if the specification not including certain language of what is Independent claim 13 has been amended to indicate that the “data processing program” is stored on the medium. It is respectfully requested that the rejection be withdrawn.

### **35 U.S.C. § 102(e)**

Claims 1-18 were rejected under 35 U.S.C. 102(e) as being anticipated by Fitton et al. US Pub. Patent Application No. 2004/0085917 hereafter “Fitton.”

For anticipation, each and every element of the claim and its relationship to the other elements as recited in the claim must be taught by the reference. Fitton fails to teach each and every element of independent claims 1, 7 and 13, either explicitly or inherently.

Fitton does not disclose, teach or suggest

said controller replaces each symbol having a value I in a context of that symbol in said received digital signal with a symbol having a value J if said replacement reduces an estimate of overall signal degradation in said processed digital signal relative to said input digital signal as determined using said degradation function and said partially corrected sequence of symbols

as included in claim 1. Therefore, claim 1 is patentable over Fitton.

Fitton deals with generating a training signal based on feedback from a received signal rather than a static training signal for channel estimation. Both the received data signal and an equalized version of that signal are stored and available to a channel

estimate module See Fitton [0076] and [0084] and Figure 4. Some error checking can be done as well.

However, Fitton fails to disclose or describe a “degradation function providing a measure of the signal degradation that occurs if a symbol having [[the]] a value I is replaced by a symbol having a value J in said received digital signal.” Fitton does not replace symbols in the received data signal responsive to a degradation function. Based on differences in the received and decoded data, Fitton changes coefficients for the operation of an equaliser filter. The equalizer filter coefficients are being adjusted to decrease errors in subsequently received data in Fitton. [0077] and [0078]. This is not the same as the data represented in the received data signal itself is being denoised.

As claimed in claim 1, the “controller replaces each symbol having a value I in a context of that symbol in said received digital signal with a symbol having a value J if said replacement reduces an estimate of overall signal degradation in said processed digital signal relative to said input digital signal as determined using said degradation function and said partially corrected sequence of symbols.” This symbol replacement and in particular symbol replacement of “each symbol having a value I in a *context* [emphasis added] of that symbol in said received digital signal .... is not disclosed, taught or suggested by Fitton.

Therefore claim 1 is patentable over Fitton.

Claims 2-6 depend from claim 1 and are patentable over Fitton as well.

#### Claims 7-12 and 13-18

The arguments with respect to claim 1 and its dependent claims are applicable to independent claims 7 and 13 and their dependent claims for showing that they are also patentable over Fitton.

#### Conclusion

In light of the amendments presented above, pending claims 1-18 are in condition for allowance, and applicants respectfully request a notice of allowance.

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Respectfully Submitted on Behalf of Applicants  
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The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23th day of August, 2007.

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